

**REMARKS**

Claims 75-82 and 84-91 are pending in this application. Dependent claims 77, 78, 79, 82, 86, 87, 88 and 91 are rewritten in independent form. Claims 75, 76, 80, 81, 84, 85, 89 and 90 are canceled herein. No new matter is added by way of this amendment. This listing of claims will replace all prior versions and listings of claims in this application, is in accordance with the decision rendered by the Board of Appeals, and addresses the issues raised in the Office communication. Applicants respectfully request entry of the claim amendments and reconsideration.

The decision reversed the rejection of claims 84-91 under 35 U.S.C. § 112 as indefinite; it reversed the rejection of claims 75-82 and 84-91 as unpatentable over Smotkin in view of Norby, Crome, Ryu or Lybye as well as the rejection of claims 75-82 and 84-91 as unpatentable over WO '777 in view of Norby, Crome, Ryu or Lybye.

The Board maintained only the rejection of claims 75, 76, 80, 81, 84, 85, 89 and 90 as anticipated by Baucke. (Claims 1-74, 83 and 92 were canceled). Thus, the rejection of claims 77, 78, 79, 82, 86, 87, 88 and 91 was reversed, and the Examiner set a one month time limit in which the appellant may rewrite these dependent claims in independent form.

Claims 77, 78, 79, 82, 86, 87, 88 and 91 are rewritten herein in independent form. The claim amendments are presented in marked-up format in accordance with typical amendment procedure. The claim amendments are marked relative to the official claim listing presented in the Appeal Brief, filed 29 May 2007. To avoid any confusion as to the official claim listing, the clean listing of claims included with the response of 29 July 2010 has been deleted.

In response to point c) raised in the Office communication, claims 82 and 91 are rewritten in independent form to clarify that the claims are directed to a specific ASR value (i.e., about  $0.150 \Omega \cdot \text{cm}^2$ ) and to remove subject matter related to ranges of ASR values. With respect to claim 91, additional support for the claim, as amended, is provided by the specification at, e.g., page 45, lines 15-17.

The Applicants thank Examiner Alejandro for a helpful telephonic discussion with Leslie A. Robinson, Registration No. 54,403, on August 18, 2010 regarding the proposed claim amendments.

Should there be minor issues remaining that could be resolved by phone, a telephone call to the undersigned is respectfully requested.

Passage of these claims to issue is therefore respectfully requested.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any

required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket No. 491712000100.

Respectfully submitted,

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